S.B.Cr.Misc. Bail Appli. No.5180/2007

(Bishna Ram vs. State of Rajasthan)

Date of order : November 16, 2007

**HON'BLE MR.H.R.PANWAR,J.**

Mr.H.R.Chawla, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by learned counsel for the petitioner that there is a cross-case and one of the accused Fusa Ram suffered injuries. Learned counsel for the petitioner has shown me the FIR of cross-case, wherein it nowhere stated that Kewal Singh, injured of this case, inflicted injuries to Fusa Ram.

From perusal of the police investigation diary of this case, it appears that injured Kewal Singh suffered as many as 11 injuries, some of which are grievous in nature. The injured was admitted to PBM Hospital, Bikaner and remained indoor patient for the couple of days and underwent treatment for

the injuries suffered by the petitioner. Injured Kewal Singh in his statement has categorically stated that it was the present petitioner and some other accused persons, who have been named in his statement, inflicted the injuries to him.

Keeping in view the number and nature of the injuries, for which the complainant underwent the treatment as indoor patient, in my view, it is not a fit case to grant anticipatory bail to the petitioner.

The bail application filed by the petitioner under section 438 Cr.P.C. is, therefore, dismissed.

[H.R.PANWAR],J.

m.asif/-